

ATTEST:

Margaret R. Gearin

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 33-88

August 8, 1988

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chambers, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland on Monday, August 8, 1988 at 7:30 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilmember Stephen N. Abrams

Councilmember James F. Coyle

Councilmember Viola D. Hovsepian

Councilmember David Robins

The Mayor in the Chair.

In Attendance: City Attorney Paul T. Glasgow, City Clerk Margaret R. Gearin, and Acting City Manager Rick Kuckkahn.

Re: City Manager's Report

Acting City Manager Rick Kuckkahn reported the following:

1. He thanked everyone for their assistance during his tenure as Acting City Manager saying that he enjoyed the opportunity to serve and that it had been a great experience.

2. Rockville Watch and the National Association of Town Watch, Inc., encouraged all citizens to participate in the Fifth Annual National Night Out on August 9, 8:00 p.m. - 10:00 p.m. National Night Out is designed to heighten crime prevention awareness, strengthen neighborhood spirit and send a message to criminals letting them know that neighborhoods are organized and fighting back.

3. A giant thank you card was signed by the children of Elwood Smith Playground and sent to the Mayor and Council in appreciation for the action taken to extend the

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closing date of the playground. Twenty-five concerned parents had signed a petition along with a petition signed by twenty children asking for an extension of the closing date of August 5 for Elwood Smith Playground. Recreation supervisors, Betsy Thompson and Fred Lewis, with short notice put together a program and playground staff for the extended period.

4. On August 8, all the old decking was removed from the Ritchie Pedestrian Bridge. Lumber was ordered and the bridge was expected to be functional by August 20. Mr. Kuckkahn thanked the Public Works staff for their extraordinary effort.

5. Staff encountered a liability question concerning the New Street Bridge which was scheduled to open by September 6. Under New Business this evening, the City Manager will ask for further direction from the Council.

6. The Glenmore Terrace Street lighting problem has been resolved. Four mercury vapor lights were converted to the standard 70 watt high pressure sodium lights. These lights had been 175 watt mercury vapor compared with the more common 100 watt mercury vapor. This new standard light, therefore, had approximately 20% fewer lumens output, causing a response from the neighbors. 100 watt high pressure sodium lights which will meet the lumen output of the 175 watt mercury vapor will be installed. Because this will result in a nonstandard installation, it should not be considered a precedent.

7. On August 9, Summer in the Square will feature the U.S. Navy Band. On August 11, Laura Greene, a versatile vaudevillian, will be featured. On August 12 and 13, the Rockville Civic Ballet will perform at the F. Scott Fitzgerald Theatre. Tickets are Adults \$4, Children \$3.

Re: Presentation to City Playground
Staff

Mayor Duncan presented the Mayors Cup to the best playground and playground

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staff. A tremendous program in its 41st year, the Mayor commended the staff involved and said it was a great outreach program to children. After introducing Fred Lewis and Betsy Thompson, Community Directors, the Mayor introduced the staff of the winning playground for the southern district, Monument Park Playground: Rae Ann Brodie, Bill Langbehn, Michelle Finn, Ron Perera, Mat Derrick, and Rachel Maskewitz. He then introduced the staff of the winning playground for the northern district, David Scull Playground: Marian Harris, Starr McCoy, Liane Morrell, Silvia Blander and Trent Hill. The winners received certificates, and the Mayor on behalf of the parents and the children thanked them for doing a great job.

Re: Appointments

Mayor Duncan made the following appointments with the concurrence of the Council:

Housing Authority - Ardell Shirley

Alternative Community Service Commission - Richard Zeidman

Animal Control Board - Lucinda Denton

Historic District Commission - Alice Kelly

Concerning the Rockville Goals Task Force, Councilmember Abrams asked if there was a limit to the number of people appointed. The Mayor said that the staff recommended fifteen people in order to get the appropriate geographic representation, and he extended that number to eighteen. Councilmember Abrams asked for the inclusion of one name. The Mayor thought that the present group would be the best selection. With four ayes from the Mayor and Councilmembers Coyle, Hovsepian, and Robbins and one abstention from Councilmember Abrams, the following appointments were made to the

Rockville Goals Task Force:

Patrick L. Woodward, Chairperson
 Steven R. Albersheim
 Robert S. Bender, CPA
 Anthony Ray Bullard, MBA, PhD
 Charles S. Carroccio, Jr.
 Mary R. Conover

Marilyn M. Greenspan
 Kevin L. Kehoe
 Stanley A. Klein
 Charles F. Haughey
 Genie McKay
 Craig E. Moloney, AIA

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Andrea Eaton
Bessie Frank
Michael I. Gewirtz

Nicholas Pasti
Ardell Shirley
Nina A. Weisbroth

Re: Citizens Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council.

Gerald Faich, 711 Marshall Ave., Vice President of the Twinbrook Citizens Association. He read a petition that strongly supported the Rockville Pike Plan as presented by the Planning Commission. The entire TCA Executive Board signed the petition which was presented to the Council.

There being no other citizen wishing to be heard, the Mayor closed the citizens forum portion of the meeting.

Re: Status Report on Lincoln Park and
David Scull Neighborhood Initiative

Members of Rockville Watch, Montgomery County Police and Rockville Community Services gave reports on the progress of the drug initiative started at the insistence of citizens of the affected neighborhoods and endorsed by the Mayor and Council. Anne Hedian of Rockville Watch reported that many of the programs to be discussed that evening had been reported as ideas in a March General Session meeting. The Community Organizations Resource Exchange (CORE) Group had created a forum for tracking the implementation, progress and impact of these programs on the neighborhoods. The group's mission is to empower the community through education, training and coordinating services to resolve its own issues. The group provides a way to exchange ideas among the City, the Police and the Citizens.

Captain James Taylor of the Montgomery County Police reported on the eight-member group called the Power Shift stationed in the Lincoln Park/David Scull community which created a higher visibility for the police. He reported having seen positive results

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in combating drug abuse and crime. The biggest problem encountered was drug trafficking which the police are trying to combat by using a wide variety of methods such as undercover work and saturation. During a three month period, there were 215 arrests in Lincoln Park and David Scull Neighborhood. He hopes to maintain the Power Shift longer than just the summer months because of its impact and progress.

Chief Jared Stout, Chief of Police in Rockville, talked about the community involvement in the CORE Group. Outsiders have commented that they have never seen the kind of quality of information exchange between the community and police that exists in the Rockville CORE Group. Other areas have asked how to organize similar groups. Chief Stout stated that better knowledge of the problems makes for better police work and that by maintaining high visibility, areas that have come under control will stay that way. He believes that success is measured by how safe the citizens feel and positive feelings in the community are now on the rise. This project is an example of community oriented policy at its best.

Fred Lewis, of the Recreation Parks Department, reported on various teen programs available. The teens have played putt putt, visited Ocean City, gone to an Orioles game and to Kings Dominion, seen movies, and enjoyed picnics. The playgrounds have served 18,000 children at a cost of under \$1 per person per day. He believes that money that the Council has allotted has been well spent. Councilmember Hovsepian commended Mr. Lewis for his work and said that the Council will be receptive to further ideas.

Josephine Roberts, Department of Community Services, talked about several programs at David Scull, Lincoln Park, and Maryvale, such as Extended Playground and Summer Themes, as well as breakfast/lunch programs, free swimming, sports, and games. The parks see 200 participants ranging from 3 to 6 years, to an older group 9 to 15 years. The Rockville Youth Employment Program conducts workshops on drug abuse. The Lincoln Park Civic Association had a clean up that instilled community pride on June

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9 and July 11. On September 17, they will hold a family festival and parade. In the "I am Peer Proof" program, children in grades 5 - 8 learn how to fight peer pressure in relation to drugs and crime. Ms. Roberts stressed that the area needed greater attention to the treatment of drug users and believes that there is movement in this direction by the County government.

Janet Kelly of Youth Services reported on the increase of cases related to drug addiction and believes progress will be seen over time with the continuation of the programs described by Ms. Roberts.

Veronica DeNegri of Community Services who works with the children at David Scull Courts gave the Mayor some children's drawings depicting their view of drugs and addiction.

Ms. Hedian added that there will be training programs sponsored by the CORE Group; one for leadership training and a community empowerment group for selected volunteers and local high schools. The next status report will be at the end of September or October.

Re: Award of Annual Concrete Maintenance
Contract - Resodding

The Mayor announced that no action was required by the Mayor and Council on this bid because the bid was under \$20,000.

Re: Award of Bid for Printing and
Mailing for Four Quarterly
Recreation Reports

The Mayor announced that no action was required on this bid because the bid was under \$20,000.

Re: Award of Bid 3-89 for Construction
of Fence at Water Plant

Because of the encroaching private development near the Water Plant property and because of increased liability problems, it was proposed for FY 89 to fence in our

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property at the Water Plant. The budget estimate was \$50,000. Of the thirty bids mailed out, four responses were received.

Clinton Fencing Company, Inc.	No Bid
Discount Fence, Blandensburg, MD	\$82,750
Long Fence Company, Inc.	
Ijamsville, MD	\$69,800
Frederick Fence Company, Inc.	
Frederick, MD	\$62,216

It was the recommendation of the staff that the City could not expect lower bids, and advised that it was possible to transfer the difference of \$12,216 from the Water & Sewer Capital Improvement Program which could be added to the mid-year appropriation ordinance to pay it back.

On motion of Councilmember Coyle, duly seconded and passed by unanimous vote of all present, the Mayor and Council awarded Bid 3-89, for the construction of a fence at the Water Plant to low bidder, Frederick Fence Company, Frederick MD, in the amount of \$62,216.00.

Re: Award of Bid 14-89 for Gude Drive Construction

The bid covers the dualization of Gude Drive between Southlawn Lane and Rt. 28. The roadway will be converted to a divided configuration with three lanes in each direction and additional lanes at intersections to accommodate turning movements. The work includes payment, curbs and gutters, a combination bikeway/sidewalk of eight foot width on the west side, storm drainage and related work. A separate contract will provide for necessary traffic signal modification and a new traffic signal at the intersection of Rothgeb Drive. Nineteen bids were mailed, and two were submitted.

Concrete General, Inc.	Gaithersburg	\$1,238,730.25
F. O. Day Co., Inc.	Rockville	\$1,274,647.50
Engineer's Estimate		\$1,340,642.00

Concrete General Inc. is an experienced road building firm that has worked on similar projects in the past for the City.

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On motion of Councilmember Coyle, duly seconded and passed by unanimous vote of all present, the Mayor and Council awarded Bid 14-89, for Gude Drive Construction to low bidder Concrete General Inc. in the amount of \$1,238,730.25.

Re: Award of Bid 18-89 for Printing of
Rockville Reports

Invitations to bid were sent out for a second time following the rejection of the first bid. Two bids were received:

Record Printing Co.	\$21,364.16
Comprint, Inc.	\$31,817.54

Record Printing has been providing the printing and mailing of the Rockville Reports newsletter for several years and has performed satisfactorily.

On motion of Councilmember Coyle, duly seconded and passed by unanimous vote of all present, the Mayor and Council awarded Bid 18-89, for printing of the Rockville Reports to low bidder, Record Printing Co. in the amount of \$21,364.16.

Re: Award of Bid 9-89 for Multi-purpose
Hydraulic Excavator

This bid will provide one, four wheel drive multi-purpose excavator as a replacement for unit #593. This will allow increased efficiency in the removal of asphalt pavement, concrete appurtenances and grading of drainage swales. There were 36 proposals sent, and two bids were received:

<u>Vendor</u>	<u>Model</u>	<u>Cost</u>
John C. Lewis Company Gaithersburg, MD 20879	Grandall G3WD	\$ 107,277.00
Elliott & Frantz, Inc. Jessup MD	Badger Model 444	\$ 119,860.00
	Amount Budgeted	\$ 135,000.00

This is a first time purchase for this type of equipment.

On motion of Councilmember Coyle, duly seconded and passed by unanimous vote of all present, the Mayor and Council awarded Bid 9-89 for the multi-purpose hydraulic

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excavator to the low bidder, the John C. Lewis Company, in the amount of \$107,277.00.

Re: Award of Bid 16-89 for Traffic
Signal Maintenance Contract

Bids were opened on Tuesday August 2, for the City's annual contract for traffic signal maintenance. The contract covers routine maintenance, itemized repairs and minor signal modifications. Four proposals were sent out and one bid was received.

Hawkins Electric Company, College Park, MD \$45,961.00

Approximately \$31,000 of the contract price would come from the FY 1989 budget, while the remainder would be associated with various CIP projects. Hawkins has been the City's traffic signal maintenance contractor for over a decade and continues to perform satisfactory work.

On motion of Councilmember Coyle, duly seconded and passed by unanimous vote of all present, the Mayor and Council awarded Bid 16-89 for the traffic signal maintenance contract to Hawkins Electric Company, in the amount of \$45,961.00.

Re: Introduction of Ordinance: To
authorize public improvement for
construction of a sidewalk in
Chapman Avenue from Twinbrook
Parkway to the South entrance to
the Metro Station - Project #7C22

On motion of Councilmember Coyle, there was introduced upon the table, an ordinance to authorize construction of a sidewalk in Chapman Avenue from Twinbrook Parkway to the South entrance to the Metro Station.

Re: Introduction of Ordinance: To
authorize public improvement for
construction of a sidewalk in Lewis
Avenue from Matthews Drive to 700
feet southeast - Project # 8G22

On motion of Councilmember Coyle, there was introduced upon the table, an ordinance to authorize construction of a sidewalk in Lewis Avenue from Matthews Drive to 700 feet southeast.

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Re: Introduction of Ordinance: To authorize public improvement for construction of a sidewalk in North Washington Street between Dawson Avenue and North Street - Project # 7A22

On motion of Councilmember Coyle, there was laid upon the table an ordinance to authorize construction of a sidewalk in North Washington Street between Dawson Avenue and North Street.

Re: Introduction of Ordinance: To amend various sections of Chapter 14B of the "Laws of Rockville" entitled "Electrical Code" so as to adopt the 1987 National Code with certain modifications, to modify provisions relating to suspension and revocation of licenses, to amend the penalties provisions, to provide for appeals from decisions of the administrative authority, and to make certain other technical changes.

Councilmember Hovsepian questioned the numbering of certain items on page 7 of the ordinance. City Attorney Paul T. Glasgow concurred and said that the ordinance would be introduced with new numbers.

Re: Introduction of Ordinance: To amend Chapter 14 of the "Laws of Rockville" entitled "Building Code", Sections 1-105, 1-401, 1-503, and 1-504, so as to adopt the 1987 BOCA National Building Code, with modifications, to delete certain modifications to the BOCA Code, to add the definition of administrative authority, and to amend provisions relating to appeals and to make certain other changes.

On motion of Councilmember Coyle, there was laid upon the table an ordinance to amend Chapter 14 of the "Laws of Rockville" to adopt the 1987 BOCA National Building Code, to delete certain modifications to the BOCA Code, to add the definition of

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administrative authority, and to amend provisions relating to appeals and to make certain other changes.

Re: Introduction of Ordinance: To amend Chapter 14F of the "Laws of Rockville" entitled "Mechanical Code", Sections 1-102 and 1-104 in order to adopt the BOCA National Mechanical Code with a deletion, to delete the reference to the "Laws of Rockville" in the enforcement provision, to add a new section 1-105 to provide for the administration of the chapter and to add a new section 1-106 to provide for appeals from decisions of the administrative authority.

On motion of Councilmember Coyle, there was laid upon the table an ordinance to amend Chapter 14F in order to adopt the 1987 BOCA National Mechanical Code deleting the reference to the "Laws of Rockville", to add a new section 1-105 to provide for the administration of the chapter and add a new section 1-106 to provide appeals from decisions of the administrative authority.

Re: Introduction of Ordinance: To amend various sections of Chapter 14A of the "Laws of Rockville" entitled "Plumbing Code" so as to adopt the 1987 BOCA National Plumbing Code with certain modifications, to amend the definition of administrative authority, to modify provisions relating to suspension and revocation of licenses, to amend the penalties provision, to provide for appeals from decision of the administrative authority and to make certain changes.

On motion of Councilmember Coyle, there was laid upon the table an ordinance to amend various sections of Chapter 14A of the "Laws of Rockville" entitled "Plumbing Code" so as to adopt the 1987 BOCA National Plumbing Code with certain modifications, modify provisions relating to suspension and revocation of licenses, to amend the

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definition of administrative authority and the penalties provision and to provide for appeals from decisions of the administrative authority.

Re: Introduction of Ordinance: To amend Section 1-102 of Chapter 14G of the "Laws of Rockville" entitled "Energy Conservation Code" in order to adopt the 1987 BOCA National Energy Conservation Code and to add a new Section 1-104 so as to make a violation of the Chapter a municipal infraction.

On motion by Councilmember Coyle, there was laid upon the table an ordinance to amend Section 1-102 of Chapter 14G of the "Laws of Rockville", entitled "Energy Conservation Code" in order to adopt the 1987 BOCA National Energy Conservation Code and to add a new Section 1-104 so as to make a violation of the Chapter a municipal infraction.

Re: Adoption of Resolution on request for a waiver of Section 7-105.e. of the Road Construction Code requirements to allow development of Lots 50 through 20 Block N, Croydon Park Subdivision and the Ashley Road without sidewalks.

Resolution No. 18-88

Councilmember Hovsepien asked for the exact location of the new street. Larry Owens, Acting Planning Director, said it was different from Ashley Avenue, and the new street was south of Crabb Avenue and north of Woodlawn Drive. He explained that the name of the street will be changed to avoid confusion. The Mayor asked why there would be no development of sidewalks. Mr. Owens explained that there was no room.

On motion of Councilmember Abrams, duly seconded and unanimously passed, Resolution No. 18-88, the full text of which can be found in Resolution Book No. 5 of the Mayor and Council, allowing a waiver of the Road Construction Code on Lots 15 through 20 and the construction of a new street without sidewalks.

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Re: Correspondence/FYI

The Mayor and Council noted the following items of Correspondence:

1. Chris Long re Octoberfest on September 24. Councilmember Abrams, in reference to Chris Long's letter announcing Octoberfest on September 24, asked if there would be any interference with the Craft Fair at the Square. The Mayor said that it was intended to incorporate the Octoberfest with the Craft Fair.

2. Bryan Breckenridge re Emergency Services at Shady Grove Adventist Hospital.

3. Rockville citizen re Elwood Smith Center. Councilmember Robbins said that the citizen experienced difficulties in arranging a swim team banquet at the Center. He asked he staff to define the use of the Center by citizens for such events. Acting City Manager Rick Kuckkahn said that he will respond to the inquiry.

4. Richard Resnick re traffic light at Farm Haven Drive. The Mayor suggested that the staff meet with Mr. Resnick and other citizens to answer their concern about the possible installation of a traffic light at Farm Haven Drive and Montrose Road. He recommended that staff then meet with the County government after the first meeting takes place.

5. Mr. Broadhurst re fire hydrant.

6. Jane Vaughn re 175 anniversary of the founding of St. Mary's Church.

The Mayor and Council noted the following items of FYI:

1. Councilmember Coyle would like to have a meeting to discuss requirements with the Acting City Manager about Cabin John Lake and the wetlands.

2. Councilmember Hovsepian, in reference to a Public Works FYI on August 1, commended the city and county for receiving funding for their pilot project for refuse collections.

3. Councilmember Hovsepian commended Betsy Thompson and her staff for helping the Hungerford Stoneridge community with their Fourth of July bash. She commended John

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Davis for being the first mechanic who took the time to prepare for exams in all five areas and receive certification. She announced that the City received a letter from Mrs. George Cormack who is 83 years old who wrote to thank the City for its help in having her grass cut and shrubs trimmed. Councilmember Hovsepian commended Eric Waldt and members of the Police Department who assisted in the Rockville Rotary Twilight Run Fest.

4. The Mayor asked the staff to recommend restriction for temporary use permits for plant sales.

Re: New Business

The Mayor and Council introduced the following items of New Business:

1. Councilmember Abrams asked to add a personnel item to the Executive Session.

2. Councilmember Coyle asked staff to put together a publicity campaign to combat drivers who speed around school buses. He would like to get the message to all drivers in time for the opening of school.

3. Award of Requirements Contracts: Liquid Aluminum Sulfate, Liquid Chlorine, and Hydrofluosilicic Acid are required chemicals used by Water Filtration Plant. Washington Suburban Sanitary Commission (WSSC) solicited bids for the products. On motion of Councilmember Hovsepian, duly seconded and unanimously passed, the Mayor and Council awarded a contract to the Delta Chemical Company for the delivery of the said chemicals in the amount of \$39,548.50.

4. The Council authorized the Acting City Manager to negotiate and execute an agreement with CSX Railroad and WMATA - Washington Metropolitan Area Transportation Association concerning the New Street Pedestrian Bridge. It will be subject to approval by the City Attorney. Councilmember Abrams suggested that the agreement should be subject to consultation with the County. The Council recommended that if the matter did not work out the County, that the Acting City Manager should move ahead and get the

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job finished.

Re: Executive Session

On the motion of Councilmember Coyle, the Mayor and Council of Rockville, Maryland, convened in Executive Session to discuss personnel and land disposition in the City Manager's Conference Room, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland, on Monday, August 8, 1988 at 9:40 p.m.

Re: Adjournment

There being no further business to come before the Mayor and Council in Executive Session, the meeting was adjourned at 10:35 p.m. to convene again in General Session on Tuesday, September 13th at 7:30 p.m. or at the call of the Mayor.